

## **REMARKS**

Reconsideration and further examination of the subject patent application in light of the present Amendment and Remarks is respectfully requested.

Claims 1-39 are currently pending in the application and stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Pat. No. 6,137,870 to Scherer. In view of the claims as presently amended, applicant respectfully traverses this rejection.

Independent claims 1, 20, 29, 38 and 39 have been further limited to transfer of the call from the IVR to the automatic call distribution system using a hook-transfer method. Support for this additional limitation may be found on the last line of page 9 of the specification.

In contrast, Scherer fails to provide any mechanism for routing a call other than by modifying a dialed number. Transferring a call based upon modification of the dialed number is inefficient because it requires that the dialed number field be used for call routing instead of for data transfer as under the claimed invention.

In addition, Scherer relies upon one of the Caller Specific Information (CSI), a Caller Specific Account Number (CSA) or an Initial Address Message (IAM) for purposes of call routing. Further, without the CSI, CSA or IAM, Scherer could not route a call.

Since the claimed invention relies upon a hook-transfer method, there is no limit to the amount of information that can be inserted into the call information identifier fields, other than field size limits. In addition, the claimed system can operate within any PSTN environment without change to that environment.

Since Scherer relies upon modification of CSI, CSA or IAM fields of a call, Scherer does not do the same or any similar thing as that of the claimed invention. Since Scherer does not do the

same or any similar thing as that of the claimed invention, there rejection is improper and should be withdrawn.

#### Closing Remarks


The art made of record by the Examiner but not relied upon as a basis of rejection, does not, whether taken alone or in combination with McFarlane, anticipate or render obvious any of applicant's claims as now amended in the application.

For the foregoing reasons, applicant submits that the subject application is in condition for allowance and earnestly solicits an early Notice of Allowance. Should the Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, the Examiner is respectfully requested to call the undersigned at the below-listed number.

The Commissioner is hereby authorized to charge any additional fee which may be required for this application under 37 C.F.R. §§ 1.16-1.18, including but not limited to the issue fee, or credit any overpayment, to Deposit Account No. 23-0920. Should no proper amount be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 23-0920. A duplicate copy of this sheet(s) is enclosed.

Respectfully submitted,  
WELSH & KATZ, LTD.

By

  
Jon P. Christensen  
Registration No. 37,137

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WELSH & KATZ, LTD.  
120 South Riverside Plaza  
22nd Floor  
Chicago, Illinois 60606  
(312) 655-1500